

HB 3106 - S COMM AMD

By Committee on Early Learning, K-12 & Higher Education

1 Strike everything after the enacting clause and insert the  
2 following:

3 "Sec. 1. RCW 28B.10.350 and 2001 c 38 s 1 are each amended to read  
4 as follows:

5 (1) When the cost to The Evergreen State College, or any regional  
6 university(~~(τ)~~) or state university, of any building, construction,  
7 renovation, remodeling, or demolition other than maintenance or repairs  
8 will equal or exceed the sum of (~~(thirty-five)~~) fifty thousand dollars,  
9 complete plans and specifications for such work shall be prepared and  
10 such work shall be put out for public bids and the contract shall be  
11 awarded to the lowest responsible bidder if in accordance with the bid  
12 specifications: PROVIDED, That when the estimated cost of such  
13 building, construction, renovation, remodeling, or demolition equals or  
14 exceeds the sum of twenty-five thousand dollars, such project shall be  
15 deemed a public works and "the prevailing rate of wage," under chapter  
16 39.12 RCW shall be applicable thereto: PROVIDED FURTHER, That when  
17 such building, construction, renovation, remodeling, or demolition  
18 involves one trade or craft area and the estimated cost exceeds  
19 (~~(fifteen)~~) twenty thousand dollars, complete plans and specifications  
20 for such work shall be prepared and such work shall be put out for  
21 public bids, and the contract shall be awarded to the lowest  
22 responsible bidder if in accordance with the bid specifications. This  
23 subsection shall not apply when a contract is awarded by the small  
24 works roster procedure authorized in RCW 39.04.155 or under any other  
25 procedure authorized for an institution of higher education.

26 (2) The Evergreen State College, any regional university, or state  
27 university may require a project to be put to public bid even when it  
28 is not required to do so under subsection (1) of this section.

29 (3) Where the estimated cost to The Evergreen State College, or any  
30 regional university(~~(τ)~~) or state university, of any building,

1 construction, renovation, remodeling, or demolition is less than  
2 twenty-five thousand dollars or the contract is awarded by the small  
3 works roster procedure authorized in RCW 39.04.155, the publication  
4 requirements of RCW 39.04.020 shall be inapplicable.

5 (4) In the event of any emergency when the public interest or  
6 property of The Evergreen State College, regional university, or state  
7 university would suffer material injury or damage by delay, the  
8 president of such college or university may declare the existence of  
9 such an emergency and reciting the facts constituting the same may  
10 waive the requirements of this section with reference to any contract  
11 in order to correct the condition causing the emergency: PROVIDED,  
12 That an "emergency," for the purposes of this section, means a  
13 condition likely to result in immediate physical injury to persons or  
14 to property of such college or university in the absence of prompt  
15 remedial action or a condition which immediately impairs the  
16 institution's ability to perform its educational obligations.

17 **Sec. 2.** RCW 28B.50.330 and 1993 c 379 s 108 are each amended to  
18 read as follows:

19 The boards of trustees of college districts are empowered in  
20 accordance with the provisions of this chapter to provide for the  
21 construction, reconstruction, erection, equipping, demolition, and  
22 major alterations of buildings and other capital assets, and the  
23 acquisition of sites, rights-of-way, easements, improvements, or  
24 appurtenances for the use of the aforementioned colleges as authorized  
25 by the college board in accordance with RCW 28B.50.140; to be financed  
26 by bonds payable out of special funds from revenues hereafter derived  
27 from income received from such facilities, gifts, bequests, or grants,  
28 and such additional funds as the legislature may provide, and payable  
29 out of a bond retirement fund to be established by the respective  
30 district boards in accordance with rules and regulations of the state  
31 board. With respect to building, improvements, or repairs, or other  
32 work, where the estimated cost exceeds (~~twenty-five~~) fifty thousand  
33 dollars, complete plans and specifications for such work shall be  
34 prepared and such work shall be put out for public bids and the  
35 contract shall be awarded to the lowest responsible bidder if in  
36 accordance with the bid specifications: PROVIDED, That when such  
37 building, construction, renovation, remodeling, or demolition involves

1 one trade or craft area and the estimated cost exceeds ((~~ten~~)) twenty  
2 thousand dollars, complete plans and specifications for such work shall  
3 be prepared and such work shall be put out for public bids, and the  
4 contract shall be awarded to the lowest responsible bidder if in  
5 accordance with the bid specifications. This subsection shall not  
6 apply when a contract is awarded by the small works procedure  
7 authorized in ((~~RCW 39.04.150~~)) state law: PROVIDED FURTHER, That any  
8 project regardless of dollar amount may be put to public bid.

9 Where the estimated cost to any college of any building,  
10 improvements, or repairs, or other work, is less than twenty-five  
11 thousand dollars, the publication requirements of RCW 39.04.020 shall  
12 be inapplicable."

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13 On page 1, line 2 of the title, after "education;" strike the  
14 remainder of the title and insert "and amending RCW 28B.10.350 and  
15 28B.50.330."

EFFECT: The amendment does four things:

1. Deletes community colleges from the first section of the bill because that section of law currently only addresses 4-year public institutions of higher education;

2. Adds to the bill the section of law that currently addresses the public bid process for community and technical colleges;

3. Raises the cost limits that address the public bid of public works projects at community and technical colleges to conform with the bill; and

4. Removes a reference to an obsolete statute.

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